



AF/3728/B

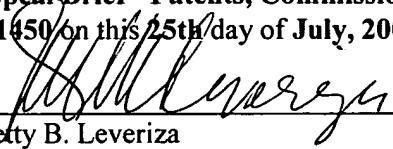
PATENT
Attorney Docket No. ADI-005
(257/10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT: Gebhard
SERIAL NO.: 09/328,749 GROUP NO.: 3728
FILING DATE: June 9, 1999 EXAMINER: Anthony D. Stashick
TITLE: TORSION SYSTEM FOR AN ARTICLE OF FOOTWEAR

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 25th day of July, 2003.


Betty B. Leveriza

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Submitted are the following:

- 1) Transmittal Form (1 pg.);
- 2) Fee Transmittal (1 pg.);
- 3) Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (1 pg.);
- 4) Brief on Appeal under 37 C.F. R. § 1.192 (49 pgs.) with Exhibit A (3 pgs.) in triplicate;
- 5) Petition for Extension of Time under 37 CFR 1.136(a) (1 pg.);
- 6) check for \$320.00 for filing fee;
- 7) check for \$110.00 for one-month extension;
- 8) duplicate copy of fee authorization (1 pg.); and
- 9) a return receipt postcard.

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TRANSMITTAL FORM

Application Serial Number	09/328,749
Filing Date	9-Jun-99
First Named Inventor	GEBHARD
Group Art Unit	3728
Examiner Name	Anthony D. Stashick
Attorney Docket No.	ADI-005
BATCH NO. (after allowance)	N/A
Patent No.	N/A
Issue Date	N/A

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input checked="" type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <div style="text-align: right;"> <p>RECEIVED</p> <p>JUL 31 2003</p> <p>TECHNOLOGY CENTER #370</p> </div>
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CORRESPONDENCE ADDRESS

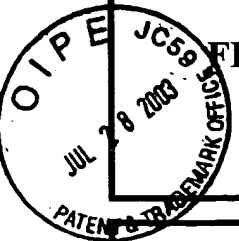
Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
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SIGNATURE BLOCK

Respectfully submitted,

Date: July 25, 2003
Reg. No. 44,691
Tel. No.: (617) 310-8085
Fax No.: (617) 790-0332
Email: gaff@tht.com


Brian M. Gaff, Esq.
Attorney for Appellant
Testa, Hurwitz & Thibault, LLP
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125 High Street
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FEE TRANSMITTAL
FY 2003

Complete if Known

Application Serial Number	09/328,749
Filing Date	9-Jun-99
First Named Inventor	GEBHARD
Group Art Unit	3728
Examiner Name	Anthony D. Stashick
Attorney Docket No.	ADI-005

METHOD OF PAYMENT

1. ☒ **Payment Enclosed:**
☒ Check ☐ Money Order ☐ Other
2. ☒ **The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.**
☐ Required Fees (copy of this sheet enclosed).
☒ **Additional fee required under 37 CFR 1.16 and 1.17.**
☒ **Overpayment Credit.**
3. ☐ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	
330	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 84.00 =

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) **0.00**

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 84.00 =

☐ First Presentation of Multiple Dep. Claim + \$280.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) **0.00**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	110.00
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	320.00
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify) _____

Other fee (Specify) _____

SUBTOTAL (3) (\$) **430.00**

SUBTOTAL (1) **0.00**

SUBTOTAL (2) **0.00**

SUBTOTAL (3) **430.00**

TOTAL (\$) **110.00**

CORRESPONDENCE ADDRESS

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Respectfully submitted,

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